IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 1919 of 1996

Between:

D.R.K.Babji S/o D.Palleswara Rao
H.No.72, MIGH, AP Housing Board Colony Moula- Ali, Hyderabad-500 040

..... PETITIONER

AND

1 Republic Forge Company Limited Moula-Ali
Hyderabad
2 The Manager(P&A) Republic Forge Company limited
Moula-Ali, Hyderabad
3 The Government of Andhra Pradesh Rep. by its Secretary Industries Secretariat Buildings
HYDERABAD

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, to preferably in the nature of a writ of Mandamus declaring the action of respondents 1 and 2 in not paying the subsistence allowance to which the petitioner is entitled to as per Rule-XIV Sub-Rule 4 of the Republic Forge company limited service Rules for officers from the date of Suspension till today as arbitrary, illegal and violative of the Fundamental Rights guaranteed under the Articles 14,16 and 21 of Constitution of India and further direct the Respondent No. 1 to continue the payment of Subsistence Allowance continuously so long as the petitioner continues under suspension

Counsel for the Petitioner: Mr. R.P. WAGHRAY, Advocate for MR.D.V.SITARAMAMURTHY

Counsel for the Respondent Nos.1 &2: Mr. P. NAGESWARA SREE

Counsel for the Respondent No.3: GP FOR INDUSTRIES & COMMERCE

The Court made the following:

:ORAL ORDER:

It is submitted by Mr.R.P. Waghray, Advocate representing Mr. D.V. Sitaram Murthy, learned counsel for the petitioner that the cause in the writ petition does not survive for adjudication. Accordingly, the writ petition is dismissed as ‘infructuous’. No costs.

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GODA RAGHURAM, J

Dt. 17-08-2004

Pvks/*

To

1 Republic Forge Company Limited, Moula-Ali
Hyderabad
2 The Manager(P&A), Republic Forge Company limited
Moula-Ali Hyderabad.
3 The Secretary, Industries ,the Government of Andhra Pradesh, Secretariat Buildings, Hyderabad

4.2CCs to the Government Pleader for Industries & Commerce, A.P. High Court Buildings, Hyderabad (OPUC).

5.2CD copies.